

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 16161 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the proceedings dated 29.07.2001 of the 2nd respondent as illegal and arbitrary. A consequential direction is also sought to the respondents 1 and 2 to include the name of the 2nd petitioner as nominee of the 1st petitioner while directing the 3rd respondent to consider the case of the 2nd petitioner for appointment in the corporation under the quota of land ousting category.

When the matter is taken up for hearing, it is submitted by learned counsel for the petitioners that the issue raised in the writ petition is squarely covered by the orders dated 01.04.2002 passed by this Court in W.P.Nos.14587 and 14595 of 2001 and similar orders may be passed in the present writ petition. The operative portion of the said orders reads as follows:

“The consideration of change of nomination is only for the remaining 20 vacancies and shall be confined only to the land losers whose cases were not considered earlier pursuant to the notification issued in the year 1989 and the employment exchange shall sponsor the candidates from the remaining land losers basing upon their seniority. If for any reason the candidate, who was nominated on the original date of registration, is minor and not acquired the requisite qualification, his seniority will be counted from the date of attaining majority or acquiring qualification whichever is applicable.

After such examination is done by the R.D.O. in consultation with the 4th respondent corporation (NTPC), he should forward the names of all such land losers to the employment exchange and basing upon the seniority the

employment exchange shall sponsor such candidates at the ratio 1:20 and the recruitment should be confined only to such candidates only.

The entire exercise shall be completed within six weeks from the date of receipt of a copy of this order.”

Learned standing counsel for the 3rd respondent has contended that there are no vacancies in the corporation and, therefore, the case of the petitioners cannot be considered at this stage.

This Court, having considered the submissions made by the learned counsel on either side, is of the considered view that the writ petition can be disposed of in terms of the orders dated 01.04.2002 passed by this Court in W.P.Nos.14587 and 14595 of 2001.

Accordingly, the writ petition is disposed of directing the respondents to re-examine the case of the petitioners and consider their case for appointment in terms of the scheme, and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

22nd October, 2018
cbs

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(disposed of)

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